

Court Improvement Program Committee Meeting
Conference Call
November 29, 2011
3:00 pm – 5:00 pm (CT)

Attending: Judge Davis, Judge Myren, Amy Benda, Tony Benning, LuAnn Van Hunnik, Marty Graves, Sharon Kallemeyn, Roxie Erickson, Virgena Wieseler, Vicki Burger, Todd Schlekeway, Dave Valandra

Absent: Becky Morlock-Reeves

October meeting minutes: Committee members reviewed the October meeting minutes, no changes noted, minutes approved by consensus.

Education, Child Welfare and Courts Summit: Sara Kelly reviewed the conference summary and action plan ideas with committee members. Kelly reported Dr. Melody Schopp will join the CIP Committee as the Department of Education (DOE) representative. Virgena Wieseler briefed the committee on new legislation requiring the DOE to work with the child welfare agency on education stability for children in foster care. Judge Davis asked Wieseler if the Department of Social Services (DSS) had an ongoing relationship with DOE. Wieseler stated “not really”, but with the new legislation and through the CIP Committee there will be. LuAnn Van Hunnik stated the foster children in the Independent Living Services (ILS) program are assessed to determine if they are working at grade level and if they are on track to graduate. If not, they work with the child and school district to get the child to the desired level. Van Hunnik commented the court report format has school information in the child summary, such as grade level and if they are on track to graduate. There was discussion on adding education stability to the court report.

Strategic goals and outcomes for CIP grants: Sara Kelly stated the new CIP grant program instructions require active involvement of the committee on strategic planning. Kelly asked for a sub-committee to work on the strategic plan. Committee members volunteering for the sub-committee are: Sharon Kallemeyn, Judge Davis, Virgena Wieseler, Vicki Burger, and Tony Benning. Wieseler suggested education stability as a goal. The sub-committee set December 8, 3:00- 4:00 central time, for a conference call. Kelly stated the data collection grant is a set amount of approximately \$100,000 and with the narrow scope of what the funds can be used for it may be difficult to spend the funds. Kelly stated David Kelly, US Program Specialist for CIP, offered to join a conference call to brainstorm ideas on data collection projects. The sub-committee was open to that discussion.

NPR article: The committee discussed the article and the inaccuracies of it. Virgena Wieseler stated the state is working with NPR to correct the inaccuracies. Wieseler also commented the Governor’s office is actively involved in the correction of the articles. Senator Schlekeway commented the Governor’s office was proactive with the legislature, informing them of the article and its inaccuracies. Schlekeway suggested a legislative

resolution in support of the state and agencies to help counter the NPR. Schlekeway stated he will work with the Legislative Research Council (LRC) on this.

Mandatory Reporting (SDCL 26-8A-3): Senator Schlekeway stated due to recent US news events he has investigated the states mandatory reporting law and asked committee members their opinions of the SD reporting laws. Judge Myren stated he is not aware of any issues related to the mandatory reporting laws. Schlekeway asked if there a reporting law for private citizens. Myren stated there is no mandatory reporting law for private citizens/general public. Judge Davis stated he hasn't seen an issue with the mandatory reporting law, however he cautioned on making the law to broad and having reports from citizens involved in divorce proceedings or other child custody disputes.

Roxie Erickson stated she has seen problems with reporting, not as it relates to the law, but as it relates to the policy and procedures with a school or hospital. Incidents have happened when staff (following policy and procedure) report abuse to their supervisor/superintendent and it is not reported to the necessary officials. Marty Graves stated this is a training issue on the reporting requirements. LuAnn Van Hunnik stated we need to be proactive and try to get on the training schedules of various agencies. Sara Kelly commented on an incident with adjustment training center staff not reporting abuse and neglect of their client's children. Virgena Wieseler stated it is in Human Services administrative rules that require them to report. Schlekeway asked Amy Benda if CASA was included in the state statute. Benda stated they are not however they train staff and volunteers to report. Schlekeway asked if CASA should be and if the committee would be in favor of adding CASA language to the statute. The committee agreed.

Children's Justice Conference: Sara Kelly asked for a sub-committee to begin work on theme, panel and platform of the 2012 conference. Committee members volunteering to participate on the sub-committee are: Judge Myren, Amy Benda, Roxie Erickson, Virgena Wieseler, Vicki Burger, and LuAnn Van Hunnik. Amy Benda stated she checked out Derek Clark's website and was impressed and thinks he is a good fit for the conference. Judge Myren stated he appreciated hearing from former foster care children/adults and "seeing it through children's eyes". Virgena Wieseler suggested having former foster care children/adults on a panel. Kelly asked her to get names and contact information for individuals to her. Judge Myren stated Kyle Krause responded to the NPR article on his website and suggested Kyle as an expert panelist.

Judge Davis stated he has already secured the Chief Justice for 2012 conference and stated the dates are September 11, Rapid City and September 13, Sioux Falls. Judge Davis suggested the Hilton Garden Inn, in Rapid City if the Ramkota is not able to meet conference needs.

Other business: Sara Kelly stated she has completed the CASA site visits and will send the report to CIP Committee members after submission to the SD CASA Commission. Kelly stated the SD CASA Commission meets May 1, 2012 (alternate date is May 8, 2012), in Pierre, and invited committee members to attend. Judge Davis and Sharon Kallemeyn volunteered to attend, represent CIP Committee.

Judge Davis commented on an email sent to some of the CIP Committee members regarding concerns removing children from homes, where they are safe, unnecessarily. Vicki Burger stated she is going to follow up with Judge Hoffman and the police department regarding this issue. Judge Myren stated he didn't think CIP Committee needed to get involved, but to monitor the situation and get involved if needed. Judge Davis asked Vicki Burger and Amy Benda to keep the CIP Committee updated on the progress. Judge Davis also commented the Chief of Police responded to Judge Hoffman's email while this committee met and will forward it to the entire committee.

Next meeting: Next meeting is set for in-person April 4, 2012, in Chamberlain and April 11, 2012 as an alternate date.